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REPLY TO DISTRICT OFFICE

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January 24, 1966

Professor Paul Freund
Harvard University Law School,
Cambridge, Mass.

PERSONAL

Dear Professor Freund,

Please excuse this intrusion into your time by one you do not know. My purpose in addressing you will become clear, as will my only request, that you keep the contents of this letter in confidence.

I am a former writer, investigator, editor and analyst, with experience in the U.S. Senate and in O.S.S. My reputation is one of which I have no shame and, if your have an interest, I can give your ample references.

Eleven months ago I completed a book tentatively titled "The Report on the Warren Report", pursuant to a contract with a publisher then unknown to me (as were all publishers) to whom I had been introduced by a mutual friend. This book was exactly as outlined and agreed upon, for I was not unaware of its potentialities and had no subversive intentions. I stipulated and the publisher agreed that the book would be restricted entirely to the testimony and exhibits of the Commission, that it would be moderate, temperate, respectful of the Commission (for I still regard Earl Warren as one of the great men in our society), that it would not flail wildly against all the participants in the multiplying tragedies but would be responsible, and that its singular purpose would be to establish that the job had not been done and must be. It would not have as a central purpose establishing the innocence of Oswald, although the Commission, in considering no other possibility, permitted no alternative; and it would not attempt to solve the crime, although I believe the book comes as close as possible to doing so, without conjecture.

While telling me this was going to be the most important thing he did in his lifetime, that advance sales indications were for initial orders of 15,000 (with no advertising) and this was a "gold-plated best seller", suddenly, and coinciding with what to me was a mysterious trip to Washington he broke his contract without comprehensible explanation while owing me money and without returning my manuscript. After consultation with three law firms, including the Ernst firm, all of whom assured me the book was my property and this was a simple and clear breach of agreement, I sought other publication.

Since then I have offered the book to more than 50 publishers. A rather large percentage have read it. There has not been a single substantial adverse criticism and there has been much praise. I began with an agent who became quite apprehensive. Six other agents were interested in a new client until they heard the subject matter of the book, when all suddenly discovered they were too busy to do it justice. The Saturday Evening Post was going to do a 20,000 word summary, and they arranged an agent for me. He read the book, said it was a really fine

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job, and that he would represent me, but without optimism. If he ever did anything in the next two months, I am unaware of it. When he returned the copy he had he said he was satisfied no American publisher would now touch it. The Saturday Evening Post told me the book was too tightly written to summarize it in less than 40,000 words (since confirmed to me by several editors for book publishers) and that this was still book length. The book is over 110,000 words.

Pocket Books, after four readings, told me they would make this the best-selling book of 1965. But Mr. Shimkin, thinking of his continuing troubles with "Calories Don't Count", feared publishing it, which I can understand. This was one of the first. My most recent letter is from Houghton Mifflin. It said my book "has now had a good deal of careful consideration" and their final decision was negative. They nonetheless reported I had "done an exhaustive and responsible analysis", that "we do admire your fair tone throughout and the spirit in which you have undertaken this difficult task, and we wish you success in placing it elsewhere"(everybody does that). While giving no reason, they implied they found the meticulous care with which I had pursued and documented each thing a "deterrent to its readability." In this they were contradicted by the previous letter I received, from the Executive Editor of Bantam, who said, "You have obviously put in a tremendous amount of work and the result is a highly readable and convincing document." While giving no reason for the rejection (over his recommendation) he implied it in saying, "Certainly one day soon you must find the publisher with the enthusiasm and courage necessary."

The amount of work was tremendous. We have about 7,000 hours in it, a third of a million words of notes, etc.

Perhaps you now see one of the reasons for my asking that you keep this in confidence. I have no desire to hurt these people, and they are not alone. I have merely quoted the first and the last of those I approached. It's the same in between. The book is now under consideration at three houses. I believe one of them is having me investigated. Somebody is, and the investigator is quite inept, hence my knowledge. If a publisher knows anything about detective agencies, I am shocked at his depending upon them to evaluate ideas and the people who hold ideas the majority today might find daring. I know something about these agencies, and there is nothing to endear me to them. I wrote the first brief for the Senate exposure of them in 1936!

It may also surprise you to know the number of reputedly responsible publishers who will not touch the subject - would not read the book for that reason - and the number who had no interest in the recommendations of their editors that the book should also sell well, "make a pot" in the words on one executive editor.

I tell you these things by way of a commentary on our times and the leaders of our intellectual life. I have already drafted a magazine article, looking to the day when the book is printed, saying publishers are denying themselves the rights the Constitution precludes the government from denying them. And it is also an introduction to something else. I do not hope that you can help with its publication, but if you are disposed to and can, I certainly would appreciate any help.

What I am about to ask, I suppose would have to be affirmed by whoever eventually publishes my book. I would very much like a foreword by a well-known legal authority. I am not asking you if you will do it, but I am asking you if you might. If the answer is affirmative, I will then mail you a copy and you can reach a decision after reading it.

Several other aspects concern me. Eventually, if I have to do it myself, my book will be printed. Meanwhile, I do not believe the subject lends itself to responsible treatment. It does lend itself to sensationalism, for it is purely a major national scandal. Evidence was ignored, distorted, misrepresented, manufactured and suppressed, and in this latter category are what you lawyers call "best evidence". It is clear these were not accidents. So, I am anxious for my book to be the first serious assessment of the Commission failure to forestall irresponsible treatment. Naturally, I take a certain amount of pride in what I have done and that, of course, also impels me to have my book appear first.

As a matter of fact, I have made a number of efforts to acquaint some of the principals with what I have learned and done. Before I wrote the book I asked a former law clerk for the Chief Justice to speak to him. This man, who now has a copy, declined. A Member of the House Judiciary Committee, beginning with disbelief, is satisfied there must be another investigation. He says he was "fascinated" by the book, and is "shocked and shaken". I went to Senator Robert Kennedy's office last summer and reported the contents as they relate to the family (for the then attorney general was ultimately responsible for any failures of the FBI, and they are unbelievable). I especially pointed out the inherent hazard in the family subsidizing a fortification of the entirely untenable conclusions of the Commission (Manchester has already announced his conclusions). I asked for nothing and I offered a copy. I have heard nothing since. I left a copy with Senator Tydings, who is chairman of the Senate Judiciary subcommittee on the Morse bill and with Senator Morse's office, calling their attention especially to those chapters relating to this bill. Both offices reported interest. I have heard nothing since then. These chapters prove, with the Commission's own evidence, what you said about the probable impossibility of ever trying Oswald, and they do much more that I would rather have you read for yourself. And I have twice spoken to a lawyer who is a personal friend of Mr. Warren. I am anxious to damage him as little as possible, although I do not see how he can stand on any feet except his own, now and in history.

So, I have made as many efforts as I believe I should or reasonably could, and in so doing I am aware of the potential harm, at least financial, that I was subjecting myself to.

Most publishers say they think there is no market for the subject. None of their editors or sales people believe it. Eventually, although the list of responsible publishers I have not approached is getting small, I believe I will find one with the "courage". And I hope you might consider writing a foreword, assuming you find the book does not preclude it.

Again I apologize for this time-taking. But I do hope I will find others who feel the ~~writt~~ righting of wrong and the dispensing of justice are an important enough part of the democratic society to help me.

Sincerely yours,

Harold Weisberg